

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

OLLIE GREENE, *et al.*,

Plaintiffs

v.

TOYOTA MOTOR CORPORATION, *et al.*,

Defendants.

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CAUSE NUMBER: 3:11-cv-0207-N

**DEFENDANTS TOYOTA MOTOR CORPORATION, TOYOTA MOTOR
ENGINEERING & MANUFACTURING NORTH AMERICA, INC., AND TOYOTA
MOTOR SALES, U.S.A., INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

TO THE HONORABLE COURT:

COME NOW Defendants Toyota Motor Corporation, Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Sales, U.S.A., Inc. (collectively “the Toyota Defendants”) in the above-styled and numbered action, and file this Motion for Partial Summary Judgment and for such would respectfully show the Court as follows:

The Toyota Defendants are entitled to summary judgment on two of Plaintiffs’ claims, including: (1) any marketing defect claims; and (2) any misrepresentation claims. Summary judgment is appropriate for the reasons set forth in the Toyota Defendants' brief filed in support of this Motion.

Accordingly, Defendants Toyota Motor Corporation, Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Sales, U.S.A., Inc. pray this Motion for Partial Summary Judgment be set for oral hearing; that upon hearing, the Court grant this Motion for Partial Summary Judgment in its entirety and render judgment that Plaintiffs take nothing by

the claims listed above; and for such other relief, both at law and in equity, to which the Toyota Defendants may show themselves to be justly entitled.

Respectfully submitted,

/s/ David P. Stone

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INC., AND TOYOTA MOTOR SALES,
U.S.A., INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all known counsel of record in this cause in accordance with the Federal Rules of Civil Procedure on this 12th day of September, 2013.

/s/ David P. Stone